

## PATENT COOPERATION TREATY

## PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT  
(PCT Article 36 and Rule 70)

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Applicant's or agent's file reference 2002145	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/ES 02/00167	International filing date ( <i>day/month/year</i> ) 05.04.2002	Priority date ( <i>day/month/year</i> ) 05.04.2002
International Patent Classification (IPC) or both national classification and IPC B62D25/06		
Applicant GRUPO ANTOLIN-INGENIERIA, S.A. et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
- These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the opinion
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand  31.10.2003	Date of completion of this report  30.07.2004
Name and mailing address of the international preliminary examining authority:   European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer  Avisse, M  Telephone No. +49 89 2399-7214  

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/ES 02/00167

**I. Basis of the report**

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

**Description, Pages**

1-10 as originally filed

**Claims, Numbers**

1-9 as originally filed

**Drawings, Sheets**

1/10-10/10 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).  
☐ the language of publication of the international application (under Rule 48.3(b)).  
☒ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority in written form.  
☐ furnished subsequently to this Authority in computer readable form.  
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.  
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:  
☐ the claims, Nos.:  
☐ the drawings, sheets:

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	3-5, 8-9
	No: Claims	1, 2, 6, 7
Inventive step (IS)	Yes: Claims	4, 5, 8, 9
	No: Claims	3
Industrial applicability (IA)	Yes: Claims	1-7
	No: Claims	

2. Citations and explanations

**see separate sheet**

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**Re Item V**

**1. Preliminary remarks (Article 6 PCT)**

- 1.1 Claim 1 not only defines a roof module itself but also specifies its relationship to a second entity, "a vehicle body", which is not part of the claimed roof module.
- 1.2 Expressions like "normally" (see claim 1) do not have any limiting effect on the scope of a claim.
- 1.3 The expression "each matching up" in claim 1 is unclear since it is not clear which technical feature is meant by "each" (Article 6 PCT).
- 1.4 The subject-matter of claim 2 only relates to features defining said vehicle body, which vehicle body does not form part of the claimed invention. Moreover, the features defined in claim 7 relate to a method of mounting the roof module on said vehicle body rather than clearly defining the roof module in terms of its technical features. The intended limitations are therefore not clear from these claims (Article 6 PCT).
- 1.5 According to the requirements of Rule 10.2 PCT, the terminology and the signs shall be consistent throughout the application. This requirement is not met in view of the use of the expressions "rails" and "side rails" (see claim 1), "peripheral shoulders" and "perimeter shoulders" (see claims 1, 6 and 8), as well as "beads of adhesive" and "adhesive" (see claims 6 and 8) for the same features.

**2. Claim 1**

The document DE-A-37 25 807 (D1) is regarded as the closest prior art to the subject-matter of claim 1 and discloses (see D1: column 2, lines 36-68; figures 1-4):

A roof module (4) for vehicles having a vehicle body comprising cross members (2, 3), side rails (8) and peripheral shoulders provided on said front and rear cross members (2, 3) and on said side rails (8);

Said roof module (4) being composed of a roof panel (5), an interior trim (6, 7) of larger dimensions than said roof panel (5), as well as pre-installed interior accessories (see column 2, lines 47-49);

Said roof panel (5) having dished recesses (19) at its front and rear edges (see figures 2 and 4), which recesses can engage with the front and rear cross members (2, 3) of the body of said vehicle, whereby said recesses are able to cover said body cross members at least in part;

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Said roof panel (5) also having at least one perimeter step (12, 13), said parameter step being able to match up positionally with said peripheral shoulders (see figures 2-4) thereby jointly making up a contact surface through which the roof module (4) can be joined to said vehicle body.

The subject-matter of claim 1 is therefore not novel (Article 33(2) PCT).

**3. Dependent claims 2-9**

- 3.1 Dependent claims 2, 3, 6 and 7 do not appear to contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty or inventive step since the features of said claims are already known from document D1 or EP-A-0 300 889 (D2).
- 3.2 The features of dependent claims 4, 5, 8 and 9 do not appear to be known from nor rendered obvious by the available prior art. As a consequence, claims 4, 5, 8 and 9 meet the requirements of Article 33 PCT concerning novelty, inventive step and industrial applicability.